

**FY 2006 SCHEDULE OF REGULATORY FEES (continued)**

<b>FY 2006 RADIO STATION REGULATORY FEES</b>						
<b>Population Served</b>	<b>AM Class A</b>	<b>AM Class B</b>	<b>AM Class C</b>	<b>AM Class D</b>	<b>FM Classes A, B1 &amp; C3</b>	<b>FM Classes B, C, C0, C1 &amp; C2</b>
<b>&lt;=25,000</b>	625	500	400	475	575	750
<b>25,001 – 75,000</b>	1,225	950	600	725	1,150	1,325
<b>75,001 – 150,000</b>	1,850	1,200	800	1,200	1,575	2,450
<b>150,001 – 500,000</b>	2,775	2,025	1,200	1,425	2,450	3,200
<b>500,001 – 1,200,000</b>	4,000	3,100	2,000	2,375	3,875	4,700
<b>1,200,001 – 3,000,00</b>	6,150	4,750	3,000	3,800	6,325	7,500
<b>&gt;3,000,000</b>	7,375	5,700	3,800	4,750	8,050	9,750

**ATTACHMENT E****FACTORS, MEASUREMENTS AND CALCULATIONS THAT DETERMINE STATION  
CONTOURS AND POPULATION COVERAGES****AM Stations**

For stations with nondirectional daytime antennas, the theoretical radiation was used at all azimuths. For stations with directional daytime antennas, specific information on each day tower, including field ratio, phasing, spacing and orientation was retrieved, as well as the theoretical pattern root-mean-square of the radiation in all directions in the horizontal plane (RMS) figure milliVolt per meter (mV/m) @ 1 km) for the antenna system. The standard, or modified standard if pertinent, horizontal plane radiation pattern was calculated using techniques and methods specified in §§73.150 and 73.152 of the Commission's rules.<sup>1</sup> Radiation values were calculated for each of 360 radials around the transmitter site. Next, estimated soil conductivity data was retrieved from a database representing the information in FCC Figure R3<sup>2</sup>. Using the calculated horizontal radiation values, and the retrieved soil conductivity data, the distance to the principal community (5 mV/m) contour was predicted for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2000 block centroids were contained in the polygon. (A block centroid is the center point of a small area containing population as computed by the U.S. Census Bureau.) The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

**FM Stations**

The greater of the horizontal or vertical effective radiated power (ERP) (kW) and respective height above average terrain (HAAT) (m) combination was used. Where the antenna height above mean sea level (HAMSL) was available, it was used in lieu of the average HAAT figure to calculate specific HAAT figures for each of 360 radials under study. Any available directional pattern information was applied as well, to produce a radial-specific ERP figure. The HAAT and ERP figures were used in conjunction with the Field Strength (50-50) propagation curves specified in 47 C.F.R. § 73.313 of the Commission's rules to predict the distance to the principal community (70 dBu (decibel above 1 microVolt per meter) or 3.17 mV/m) contour for each of the 360 radials.<sup>3</sup> The resulting distance to principal community contours were used to form a geographical polygon.

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<sup>1</sup> 47 C.F.R. §§ 73.150 and 73.152.

<sup>2</sup> See *Map of Estimated Effective Ground Conductivity in the United States*, 47 C.F.R. § 73.190 Figure R3.

<sup>3</sup> 47 C.F.R. § 73.313.

Population counting was accomplished by determining which 2000 block centroids were contained in the polygon. The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

## ATTACHMENT F

## FY 2005 SCHEDULE OF REGULATORY FEES

Fee Category	Annual Regulatory Fee (U.S. \$'s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	10
Microwave (per license) (47 CFR part 101)	60
218-219 MHz (Formerly Interactive Video Data Service) (per license) (47 CFR part 95)	50
Marine (Ship) (per station) (47 CFR part 80)	10
Marine (Coast) (per license) (47 CFR part 80)	10
General Mobile Radio Service (per license) (47 CFR part 95)	5
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	5
PLMRS (Shared Use) (per license) (47 CFR part 90)	5
Aviation (Aircraft) (per station) (47 CFR part 87)	5
Aviation (Ground) (per license) (47 CFR part 87)	15
Amateur Vanity Call Signs (per call sign) (47 CFR part 97)	2.19
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.22
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08
Multipoint Distribution Services (MMDS/ MDS) (per license sign) (47 CFR part 21)	255
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	255
AM Radio Construction Permits	310
FM Radio Construction Permits	550
TV (47 CFR part 73) VHF Commercial	
Markets 1-10	61,975
Markets 11-25	44,675
Markets 26-50	32,025
Markets 51-100	18,800
Remaining Markets	4,625
Construction Permits	3,175
TV (47 CFR part 73) UHF Commercial	
Markets 1-10	20,025

<b>Fee Category</b>	<b>Annual Regulatory Fee (U.S. \$'s)</b>
Markets 11-25	17,525
Markets 26-50	10,050
Markets 51-100	6,125
Remaining Markets	1,725
Construction Permits	1,725
Satellite Television Stations (All Markets)	1,075
Construction Permits – Satellite Television Stations	535
Low Power TV, TV/FM Translators & Boosters (47 CFR part 74)	395
Broadcast Auxiliary (47 CFR part 74)	10
CARS (47 CFR part 78)	155
Cable Television Systems (per subscriber) (47 CFR part 76)	.72
Interstate Telecommunication Service Providers (per revenue dollar)	.00243
Earth Stations (47 CFR part 25)	205
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes Direct Broadcast Satellite Service (per operational station) (47 CFR part 100)	111,925
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	112,425
International Bearer Circuits (per active 64KB circuit)	1.37
International Public Fixed (per call sign) (47 CFR part 23)	1,800
International (HF) Broadcast (47 CFR part 73)	765

**FY 2005 SCHEDULE OF REGULATORY FEES (continued)**

<b>FY 2005 RADIO STATION REGULATORY FEES</b>						
<b>Population Served</b>	<b>AM Class A</b>	<b>AM Class B</b>	<b>AM Class C</b>	<b>AM Class D</b>	<b>FM Classes A, B1 &amp; C3</b>	<b>FM Classes B, C, C0, C1 &amp; C2</b>
<b>&lt;=25,000</b>	625	475	375	450	550	725
<b>25,001 – 75,000</b>	1,225	925	550	675	1,125	1,250
<b>75,001 – 150,000</b>	1,825	1,150	750	1,125	1,550	2,300
<b>150,001 – 500,000</b>	2,750	1,950	1,125	1,350	2,375	3,000
<b>500,001 – 1,200,000</b>	3,950	2,975	1,875	2,250	3,750	4,400
<b>1,200,001 – 3,000,00</b>	6,075	4,575	2,825	3,600	6,100	7,025
<b>&gt;3,000,000</b>	7,275	5,475	3,575	4,500	7,750	9,125

**ATTACHMENT G****Parties Filing Comments on the Notice of Proposed Rulemaking**

American Association of Paging Carriers ("AAPC")  
Apollo Submarine Cable System Ltd. ("Apollo")  
Blooston, Mordkofsky, Dickens, Duffy & Prendergast ("BloostonLaw")  
Kenneth J. Brown ("Brown")  
National Cable & Telecommunications Association ("NCTA")  
USA Mobility, Inc. ("USA Mobility")

**Parties Filing Reply Comments**

American Cable Association ("ACA")  
DIRECTV, Inc. and EchoStar Satellite ("DirecTV & Echostar")

**Parties Filing a Notice of Oral Ex Parte Presentation**

National Cable & Telecommunications Association ("NCTA")  
DIRECTV, Inc. and EchoStar Satellite ("DirecTV & Echostar")

**ATTACHMENT H****RULE CHANGES**

Part 1 of Title 47 of the Code of Federal Regulations is amended to read as follows:

**PART 1 – PRACTICE AND PROCEDURE**

1. The authority citation for Part 1 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303, 309.

2. Section 1.1152 is revised to read as follows:

§ 1.1152 Schedule of annual regulatory fees and filing locations for wireless radio services.

<b>Exclusive use services (per license)</b>	<b>Fee Amount<sup>277</sup></b>	<b>Address</b>
<b>1. Land Mobile (Above 470 MHz and 220 MHz Local, Base Station &amp; SMRS) (47 CFR, Part 90)</b>		
a) New, Renew/Mod (FCC 601 & 159)	\$20.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
b) New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$20.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
c) Renewal Only (FCC 601 & 159)	\$20.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
d) Renewal Only (Electronic Filing) (FCC 601 & 159)	\$20.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994

<sup>277</sup> Note that "small fees" are collected in advance for the entire license term. Therefore, the annual fee amount shown in this table that is a small fee (categories 1 through 5) must be multiplied by the 5- or 10-year license term, as appropriate, to arrive at the total amount of regulatory fees owed. It should be further noted that application fees may also apply as detailed in §1.1102 of this chapter.



<b>220 MHz Nationwide</b>	<b>\$20.00</b>	<b>FCC</b>
a)New, Renew/Mod (FCC 601 & 159)		P.O. Box 358130 Pittsburgh, PA 15251-5130
b)New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	<b>\$20.00</b>	<b>FCC</b> P.O. Box 358994 Pittsburgh, PA 15251-5994
c)Renewal Only (FCC 601 & 159)	<b>\$20.00</b>	<b>FCC</b> P.O. Box 358245 Pittsburgh, PA 15251-5245
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	<b>\$20.00</b>	<b>FCC</b> P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>2. Microwave (47 CFR Pt. 101) (Private)</b>		
a)New, Renew/Mod (FCC 601 & 159)	<b>\$85.00</b>	<b>FCC</b> P.O. Box 358130 Pittsburgh, PA 15251-5130
b)New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	<b>\$85.00</b>	<b>FCC</b> P.O. Box 358994 Pittsburgh, PA 15251-5994
c)Renewal Only (FCC 601 & 159)	<b>\$85.00</b>	<b>FCC</b> P.O. Box 358245 Pittsburgh, PA 15251-5245
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	<b>\$85.00</b>	<b>FCC</b> P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>3. 218-219 MHz Service</b>		
a)New, Renew/Mod (FCC 601 & 159)	<b>\$55.00</b>	<b>FCC</b> P.O. Box 358130 Pittsburgh, PA 15251-5130
b)New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	<b>\$55.00</b>	<b>FCC</b> P.O. Box 358994 Pittsburgh, PA 15251-5994

c)Renewal Only (FCC 601 & 159)	\$55.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$55.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994

#### 4. Shared Use Services

##### **Land Mobile (Frequencies Below 470 MHz – except 220 MHz)**

a)New, Renew/Mod (FCC 601 & 159)	\$10.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
b) New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
c)Renewal Only (FCC 601 & 159)	\$10.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994

##### **General Mobile Radio Service**

a)New, Renew/Mod (FCC 605 & 159)	\$5.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
b)New, Renew/Mod (Electronic Filing) (FCC 605 & 159)	\$5.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
c)Renewal Only (FCC 605 & 159)	\$5.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245

d)Renewal Only (Electronic Filing) (FCC 605 & 159)	\$5.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>Rural Radio (Part 22)</b>		
a)New, Additional Facility, Major Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
b)Renewal, Minor Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>Marine Coast</b>		
a)New Renewal/Mod (FCC 601 & 159)	\$20.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
b)Renewal Only (FCC 601 & 159)	\$20.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
c)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$20.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>Aviation Ground</b>		
a)New, Renewal/Mod (FCC 601 & 159)	\$10.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
b)Renewal Only (FCC 601 & 159)	\$10.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
c)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>Marine Ship</b>		
a)New, Renewal/Mod (FCC 605 & 159)	\$10.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130

b)New, Renewal/Mod (Electronic Filing) (FCC 605 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
c)Renewal Only (FCC 605 & 159)	\$10.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
d)Renewal Only (Electronic Filing) (FCC 605 & 159)	\$10.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>Aviation Aircraft</b>		
a)New, Renew/Mod (FCC 605 & 159)	\$5.00	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
b)New, Renew/Mod (Electronic Filing) (FCC 605 & 159)	\$5.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
c)Renewal Only (FCC 605 & 159)	\$5.00	FCC P.O. Box 358245 Pittsburgh, PA 15251-5245
d)Renewal Only (Electronic Filing) (FCC 605 & 159)	\$5.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994
<b>5. Amateur Vanity Call Signs</b>	\$2.08	FCC P.O. Box 358130 Pittsburgh, PA 15251-5130
a)Initial or Renew (FCC 605 & 159)		
b)Initial or Renew (Electronic Filing) (FCC 605 & 159)	\$2.08	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994

<b>6. CMRS Mobile Services</b> (per unit) (FCC 159)	\$ .20 <sup>278</sup>	FCC P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>7. CMRS Messaging Services</b> (per unit) (FCC 159)	\$ .08 <sup>279</sup>	FCC P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>8. Broadband Radio Service</b> (formerly MMDS and MDS)	\$ 275	FCC, Multipoint P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>9. Local Multipoint Distribution Service</b>	\$ 275	FCC, Multipoint P.O. Box 358835 Pittsburgh, PA 15251-5835

3. Section 1.1153 is revised to read as follows:

§ 1.1153 Schedule of annual regulatory fees and filing locations for mass media services.

<b>Radio [AM and FM] (47 CFR, Part 73)</b>	<b>Fee Amount</b>	<b>Address</b>
<b>1. <u>AM Class A</u></b>		
<=25,000 population	\$625	FCC, Radio P.O. Box 358835 Pittsburgh, PA 15251-5835
25,001-75,000 population	\$1,225	
75,001-150,000 population	\$1,850	
150,001-500,000 population	\$2,775	
500,001-1,200,000 population	\$4,000	
1,200,001-3,000,000 population	\$6,150	
>3,000,000 population	\$7,375	
<b>2. <u>AM Class B</u></b>		
<=25,000 population	\$500	
25,001-75,000 population	\$950	
75,001-150,000 population	\$1,200	
150,001-500,000 population	\$2,025	
500,001-1,200,000 population	\$3,100	
1,200,001-3,000,000 population	\$4,750	
>3,000,000 population	\$5,700	

<sup>278</sup> These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

<sup>279</sup> These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

3. AM Class C

<=25,000 population	\$400
25,001-75,000 population	\$600
75,001-150,000 population	\$800
150,001-500,000 population	\$1,200
500,001-1,200,000 population	\$2,000
1,200,001-3,000,000 population	\$3,000
>3,000,000 population	\$3,800
4. AM Class D

<=25,000 population	\$475
25,001-75,000 population	\$725
75,001-150,000 population	\$1,200
150,001-500,000 population	\$1,425
500,001-1,200,000 population	\$2,375
1,200,001-3,000,000 population	\$3,800
>3,000,000 population	\$4,750
5. AM Construction Permit \$395
6. FM Classes A, B1 and C3

<=25,000 population	\$575
25,001-75,000 population	\$1,150
75,001-150,000 population	\$1,575
150,001-500,000 population	\$2,450
500,001-1,200,000 population	\$3,875
1,200,001-3,000,000 population	\$6,325
>3,000,000 population	\$8,050
7. FM Classes B, C, C0, C1 and C2

<=25,000 population	\$750
25,001-75,000 population	\$1,325
75,001-150,000 population	\$2,450
150,001-500,000 population	\$3,200
500,001-1,200,000 population	\$4,700
1,200,001-3,000,000 population	\$7,500
>3,000,000 population	\$9,750
8. FM Construction Permits \$575

**TV (47 CFR, Part 73)****VHF Commercial**

- |                         |          |
|-------------------------|----------|
| 1. Markets 1 thru 10    | \$64,775 |
| 2. Markets 11 thru 25   | \$47,775 |
| 3. Markets 26 thru 50   | \$32,875 |
| 4. Markets 51 thru 100  | \$20,450 |
| 5. Remaining Markets    | \$ 5,025 |
| 6. Construction Permits | \$ 3,400 |

FCC, TV Branch  
P.O. Box 358835  
Pittsburgh, PA  
15251-5835

**UHF Commercial**

1.	Markets 1 thru 10	\$20,750	FCC,UHFCommercial
2.	Markets 11 thru 25	\$19,100	P.O. Box 358835
3.	Markets 26 thru 50	\$10,975	Pittsburgh, PA
4.	Markets 51 thru 100	\$ 6,500	15251-5835
5.	Remaining Markets	\$ 1,775	
6.	Construction Permits	\$ 1,775	

**Satellite UHF/VHF Commercial**

1.	All Markets	\$1,150	FCC Satellite TV
2.	Construction Permits	\$ 570	P.O. Box 358835
			Pittsburgh, PA
			15251-5835

<b>Low Power TV, Class A TV, TV/FM Translator,&amp; TV/FM Booster (47 CFR Part 74)</b>	<b>\$ 420</b>	<b>FCC, Low Power P.O. Box 358835 Pittsburgh, PA 15251-5835</b>
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<b>Broadcast Auxiliary</b>	<b>\$ 10</b>	<b>FCC, Auxiliary P.O. Box 358835 Pittsburgh, PA 15251-5835</b>
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4. Section 1.1154 is revised to read as follows:

§ 1.1154 Schedule of annual regulatory charges and filing locations for common carrier services.

<b>Radio Facilities</b>	<b>Fee Amount</b>	<b>Address</b>
1. Microwave (Domestic Public Fixed) (Electronic Filing) (FCC Form 601 & 159)	\$85.00	FCC P.O. Box 358994 Pittsburgh, PA 15251-5994

**Carriers**

1. Interstate Telephone Service Providers (per interstate and international end-user revenues (see FCC Form 499-A))	\$ .00264	FCC, Carriers P.O. Box 358835 Pittsburgh, PA 15251-5835
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5. Section 1.1155 is revised to read as follows:

§ 1.1155 Schedule of regulatory fees and filing locations for cable television services.

	<b>Fee Amount</b>	<b>Address</b>
1. Cable Television Relay Service	\$175	FCC, Cable
2. Cable TV System (per subscriber)	\$ .79	P.O. Box 358835 Pittsburgh, PA 15251-5835

6. Section 1.1156 is revised to read as follows:

§ 1.1156 Schedule of regulatory fees and filing locations for international services.

<b>Radio Facilities</b>	<b>Fee Amount</b>	<b>Address</b>
1. International (HF) Broadcast	\$820	FCC, International P.O. Box 358835 Pittsburgh, PA 15251-5835
2. International Public Fixed	\$1,925	FCC, International P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>Space Stations (Geostationary Orbit)</b>	\$111,425	FCC, Space Stations P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>Space Stations (Non-Geostationary Orbit)</b>	\$120,225	FCC, Space Stations P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>Earth Stations</b> Transmit/Receive & Transmit Only (per authorization or registration)	\$215	FCC, Earth Station P.O. Box 358835 Pittsburgh, PA 15251-5835
<b>Carriers</b> International Bearer Circuits (per active 64KB circuit or equivalent)	\$ 1.47	FCC, International P.O. Box 358835 Pittsburgh, PA 15251-5835

7. Section 1.1162 is amended by revising paragraphs (e) through (h) to read as follows:

§1.1162 (e) from:

(e) Applicants, permittees or licensees of noncommercial educational broadcast stations in the FM or TV services, as well as AM applicants, permittees or licensees operating in accordance with § 73.503 of this chapter.



to:

(e) Applicants, permittees or licensees of noncommercial educational (NCE) broadcast stations in the FM or TV services, as well as AM applicants, permittees or licensees operating in accordance with § 73.503 of this chapter.

§1.1162 (f) from:

(f) Applicants, permittees, or licensees qualifying under paragraph (e) of this section requesting Commission authorization in any other mass media radio service (except the international broadcast (HF) service), wireless radio service, common carrier radio service, or international radio service requiring payment of a regulatory fee, if the service is used in conjunction with their noncommercial educational broadcast station on a noncommercial educational basis.

to:

(f) Applicants, permittees, or licensees qualifying under paragraph (e) of this section requesting Commission authorization in any other mass media radio service (except the international broadcast (HF) service), wireless radio service, common carrier radio service, or international radio service requiring payment of a regulatory fee, if the service is used in conjunction with their NCE broadcast station on an NCE basis.

§1.1162 (g) from:

(g) Other applicants, permittees or licensees providing, or proposing to provide, a noncommercial educational or instructional service, but not qualifying under paragraph (e) of this section, may be exempt from regulatory fees, or be entitled to a refund, in the following circumstances:

(1) The applicant, permittee or licensee is an organization that, like the Public Broadcasting Service or National Public Radio, receives funding directly or indirectly through the Public Broadcasting Fund, 47 U.S.C. 396(k), distributed by the Corporation for Public Broadcasting, where the authorization requested will be used in conjunction with the organization on a noncommercial educational basis;

(2) An applicant, permittee or licensee of a translator or low power television station operating or proposing to operate a noncommercial educational service who, after grant, provides proof that it has received funding for the construction of the station through the National Telecommunications and Information Administration (NTIA) or other showings as required by the Commission; or

(3) An applicant, permittee, or licensee provided a fee refund under Sec. 1.1160 and operating as a noncommercial education station, is exempt from fees for broadcast auxiliary stations (subparts D, E, and F of part 74 of this chapter) or stations in the wireless radio, common carrier, or international services where such authorization is to be used in conjunction with the noncommercial educational translator or low power station.

to:

(g) Other applicants, permittees or licensees providing, or proposing to provide, a NCE or instructional service, but not qualifying under paragraph (e) of this section, may be exempt from regulatory

fees, or be entitled to a refund, in the following circumstances:

(1) The applicant, permittee or licensee is an organization that, like the Public Broadcasting Service or National Public Radio, receives funding directly or indirectly through the Public Broadcasting Fund, 47 U.S.C. 396(k), distributed by the Corporation for Public Broadcasting, where the authorization requested will be used in conjunction with the organization on an NCE basis;

(2) An applicant, permittee or licensee of a translator or low power television station operating or proposing to operate an NCE service who, after grant, provides proof that it has received funding for the construction of the station through the National Telecommunications and Information Administration (NTIA) or other showings as required by the Commission; or

(3) An applicant, permittee, or licensee provided a fee refund under Sec. 1.1160 and operating as an NCE station, is exempt from fees for broadcast auxiliary stations (subparts D, E, F, and G of part 74 of this chapter) or stations in the wireless radio, common carrier, or international services where such authorization is to be used in conjunction with the NCE translator or low power station.

§1.1162 (h) from:

(h) An applicant, permittee or licensee that is the licensee of an instructional television fixed station (§§ 74.901 through 74.996 of this chapter) is exempt from regulatory fees where the authorization requested will be used by the applicant in conjunction with the provision of the instructional service.

to:

(h) An applicant, permittee or licensee that is the licensee in the Educational Broadband Service (EBS) (formerly, Instructional Television Fixed Service (ITFS)) (Parts 27 and 74, *e.g.*, §§ 27.1200, *et seq.*, and 74.832(b), of this chapter) is exempt from regulatory fees where the authorization requested will be used by the applicant in conjunction with the provision of the EBS.

**CONCURRING STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS**

*Re: Assessment and Collection of Regulatory Fees for Fiscal Year 2006, Report and Order in MD  
Docket No 06-68*

I concur in today's item to emphasize my long-held and oft-repeated belief that the Commission should consider opening a rulemaking to address the adjustment of regulatory fees pursuant to section 9(b)(3) of the Act. In a rapidly-evolving communications marketplace, we need to look for ways to ensure that our regulatory fee methodologies continue to reflect the industries we regulate.

**STATEMENT OF  
COMMISSIONER JONATHAN ADELSTEIN  
APPROVING IN PART, CONCURRING IN PART**

*Re: Assessment and Collection of Regulatory Fees for Fiscal Year 2006, Report and Order in MD  
Docket No. 06-68*

As in years past, I must concur to portions of our Regulatory Fee Order because I remain troubled with the Commission's inability and reluctance to consider changes that undoubtedly occur from time to time in the costs of regulatory fees for individual services. I encourage the Commission to continue to improve its regulatory fee assessment processes so that in the future we are more able to make these adjustments as appropriate.